

REMARKS

Claims 2-29, 38-62, 70-81, 86-113, 120-122 and 125-127 are pending. Claims 2-4, 11, 38-40, 70, 86-88 and 95 have been amended. Claims 1, 30-37, 63-69, 82-85, 114-119, 123 and 124, directed to a non-elected invention, have been cancelled without prejudice.

Applicants note with appreciation the allowance of Claims 120-122 and 125-127.

Claims 11, 70 and 95 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. The claims have been carefully reviewed and amended as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 2, 38 and 86 were rejected under 35 U.S.C. § 102(b) as anticipated by WO 95/11561 to Lynch. Applicants submit that amended claims 2, 38 and 86 are patentable for at least the following reasons.

Amended independent claim 2 recites, inter alia, that the at least one core node transmits a route setting packet, the route setting packet including: sender node identification information; an up-link receiver side relay node; and a metric indicative of an amount providing criteria for selecting the up-link receiver side node.

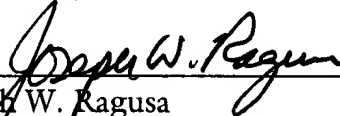
Lynch is directed to a relay communications network configured from plural transceiver stations. However, Lynch does not teach that the at least one core node transmits a route setting packet, the route setting packet including: sender node identification information; an up-link receiver side relay node; and a metric indicative of an amount providing criteria for selecting the up-link receiver side node.

For at least the foregoing reasons, amended independent claim 2 is believed to distinguish over Lynch. Amended independent claims 38 and 86, the only other independent claims rejected in view of prior art, have been similarly amended and are believed to distinguish over Lynch for similar reasons.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

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Respectfully submitted,

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